



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

GALLAGHER & DAWSEY CO., L.P.A.
P.O. BOX 785
COLUMBUS OH 43216

COPY MAILED

AUG 25 2006

OFFICE OF PETITIONS

In re Application of	:	
Lohr, et al	:	
Application No. 10/782,516	:	
Filed: February 18, 2004	:	ON PETITION
Attorney Docket No. 04015	:	
For: COMPOSITE HINGED DOOR AND	:	
INSERT THEREFOR	:	

This is a decision on the reconsideration petition under 37 CFR 1.137(b) to revive the above-identified application and the petition under 37 CFR 1.47(a). Both petitions were filed August 14, 2006.

The petition under 37 CFR 1.137(b) is **DISMISSED**.

The petition under 37 CFR 1.47(a) is **DISMISSED**.

Any further petition to revive the above-identified application must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to submit a reply to the August 10, 2004 Notice to File Missing Parts of Nonprovisional Application, which set an extendable two month period for reply to submit an executed declaration and a surcharge. No reply being received, the Office considered this application abandoned on October 11, 2004. A Notice of Abandonment was mailed on May 13, 2005.

A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) the required reply, unless previously filed.;
- (2) the petition fee as set forth in 37 CFR 1.17(m);

- (3) a statement that the **entire** delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.
- (4) any terminal disclaimer (and fee set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(d).

This petition does not meet requirement (1) set forth above.

While petitioner has filed a grantable petition under 37 CFR 1.47(a), it appears that petitioner has not submitted the \$65.00 surcharge required by the August 10, 2004 Notice to File Missing Parts of Nonprovisional Application. An acceptable declaration was not filed when the present application was filed. Therefore, the late declaration surcharge was and still is required. A review of the application file reveals that petitioner has not provided a deposit account general authorization. Therefore, the petition under 37 CFR 1.137(b) is dismissed. Once petitioner submits the \$65.00 surcharge, the Rule 47(a) petition will be granted.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450

By hand: U.S. Patent and Trademark Office
Customer Service Window, Mail Stop Petition
Randolph Building
401 Dulany Street
Alexandria, VA 22314

By FAX: (571) 273-8300 - ATTN: Office of Petitions

Telephone inquiries may be directed to the undersigned at (571) 272-3230.


Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions